

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NIKE, INC.,

Plaintiff,

- against -

BY KIY LLC, et al.,

Defendants.

USDC SDNY
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23 Civ. 2431 (VM)

ORDER

VICTOR MARRERO, United States District Judge.

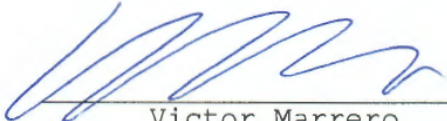
The Court has reviewed the parties' joint letter regarding setting a trial date in the above-captioned case, narrowing the issues for trial, and filing motions to exclude testimony and opinions of certain expert witnesses. ("Joint Letter," Dkt. No. 195.)

The Court hereby sets a three-day bench trial in this matter to begin on June 17, 2024. The Court denies Defendants By Kiy LLC's and Nickwon Arvinger's request for a bifurcated trial with respect to the issues of liability and damages. The Court accepts the parties' stipulation and withdrawal of those affirmative defenses and counterclaims identified in their Joint Letter. Finally, the Court grants Nike's request for permission to file motions to exclude the testimony and opinions of Defendants' design expert, Mr. Bertrand Guillaume, and to exclude the testimony and opinions of Nike's survey expert, Dr. Isabella Cunningham.

The Court adopts the parties' briefing schedule as set forth in their joint letter. The opening briefs shall be due thirty (30) days after the entry of this order, the responsive briefs shall be due fourteen (14) days after the opening briefs, and the reply briefs shall be due seven (7) days after the responsive briefs.

SO ORDERED.

Dated: 29 January 2024
New York, New York



Victor Marrero
U.S.D.J.